

Appl. No. : 09/579,327
Filed : May 25, 2000

REMARKS

Applicants wish to thank the Examiner for reviewing the pending claims, and for withdrawing the previous rejections under 35 U.S.C. § 112, first and second paragraphs. Claims 41, 42, 45-51, 58-61, and 63-73 have been allowed. Independent Claim 40 has been rejected. Claims 43-44, 52-54, and 57 are objected to for being dependent on non-allowed independent Claim 40. Claims 40 and 54 have been cancelled by this amendment. Accordingly, Claims 41 through 53, 57-61, and 63-73 are now pending. No new matter has been added by this amendment.

Discussion of Rejection Under 35 U.S.C. § 102 and 103

The Examiner maintained the previous rejection of Claim 40, and additionally objected to Claims 43-44, 52-54, and 57, for being dependent on non-allowed independent Claim 40. While Applicants respectfully disagree, for the purpose of advancing prosecution, Claim 40 has been cancelled. Further, dependent Claims 43, 52-53, and 57 have now been amended to include the language of cancelled Claim 40. Claim 44 is dependent on amended Claim 43, which includes the language of cancelled Claim 40. Applicants assert that the Examiner's rejection of Claim 40 and objections to Claims 43-44, 52-54, and 57 have been rendered moot in view of the amendments to the claims by this amendment. Accordingly, Applicants respectfully request withdrawal of all rejections under 35 U.S.C. § 102 and 35 U.S.C. § 103, and allowance of the pending application.

Double patenting

The Examiner stated that should Claim 67 be allowable, Claim 54 would be objected to under 37 CFR § 1.75 as being a substantial duplicate thereof. Accordingly, Claim 54 has been cancelled.

CONCLUSION

Applicants have attempted to address each of the issues raised in the Office action. Applicants respectfully submit that the application is now in condition for allowance, which action is earnestly solicited. If the Examiner finds any remaining impediment to the prompt

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allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully requested to initiate the same with the undersigned.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: July 6, 2004

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